



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

November 24, 2008

CERTIFIED MAIL 7000 0520 0021 6108 9540  
Return Receipt Requested

Mr. Robert Simmons  
General Manager  
Sausalito-Marín City Sanitary District  
1 Ft. Baker Road  
Sausalito, California

RE: Findings of Violation and Amended Order for Compliance under sections 308(a) and 309(a) of the Clean Water Act, EPA Docket No. CWA309(a)-08-031

Dear Mr. Simmons:

I am writing in response to your letter dated August 18, 2008 in which you requested modification of the Administrative Order cited above. EPA has considered your request, and based upon information provided in your letter and during the discussion with EPA staff on August 6, 2008, I am issuing the attached Findings of Violation and Amended Order for Compliance.

Requirements related to several paragraphs have been modified. Clarifications have been made to Paragraphs IV.A.1 related to condition assessment; IV.B.1 related to capacity assessment; and V.B.1. related to the capacity assurance plan. Deadlines have been extended for Paragraphs III.A.1.e. related to contracts, III.B.1. related to MMS implementation, and III.B.2. related to GIS linkage to MMS. Please note that we have also made minor changes to Paragraphs II. C. and II.D. regarding public notification and reporting requirements, and a cross-reference has been corrected in V.B.2.

We look forward to working with you to meet the requirements of this Amended Order. If you have further questions, please contact JoAnn Cola at 415/972-3578 or Ken Greenberg at 415/ 972-3577.

Sincerely yours,



Alexis Strauss  
Director, Water Division

*24 Nov. 2008*

Encl: Findings of Violation and Amended Order for Compliance

cc: Lila Tang, San Francisco Bay RWQCB  
Adam Politzer, City Manager, City of Sausalito  
Jon Elam, General Manager, Tamalpais Community Services District

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX

IN THE MATTER OF:

Sausalito-Marín City Sanitary District

Tamalpais Community Services District

The City of Sausalito

) Docket No.: CWA-309(a)-08-031  
)  
)

**FINDINGS OF VIOLATION  
AND  
AMENDED ORDER FOR  
COMPLIANCE**

) Proceeding under Sections 308(a) and  
) 309(a) of the Clean Water Act, 33  
) U.S.C. §§ 1318 and 1319(a)

**STATUTORY AUTHORITY**

The following Findings of Violation are made and Order for Compliance issued pursuant to the authority vested in the Administrator of the United States Environmental Protection Agency (EPA) under Sections 308(a) and 309(a) of the Clean Water Act (Act), as amended, 33 U.S.C. §§1318(a) and 1319(a). The Administrator has delegated these authorities to the Regional Administrator of EPA, Region IX, who has in turn delegated them to the Director of the Water Division of EPA, Region IX. Notice of this action has been given to the State of California Regional Water Quality Control Board, San Francisco Bay Region ("Regional Board").

## **FINDINGS OF VIOLATION**

On the basis of the following facts, the Director of the Water Division of EPA, Region IX, finds that Sausalito-Marin City Sanitary District, Tamalpais Community Services District, and the City of Sausalito are in violation of Section 301(a) of the Act, 33 U.S.C. §§ 1311(a).

1. Section 301(a) of the Act, 33 U.S.C. § 1311(a), prohibits the discharge of pollutants into navigable waters of the United States except in compliance with various sections of the Act, including section 402 of the Act, 33 U.S.C. § 1342.
2. Section 402 of the Act establishes the National Pollutant Discharge Elimination System ("NPDES"). Pursuant to Section 402 of the Act, the State of California, through its various Regional Water Quality Control Boards, may issue NPDES permits for the discharge of pollutants into navigable waters located within the State of California.
3. "Pollutants" means, among other things, "sewage". 33 U.S.C. § 1362(6). A point source means any discernable, confined and discrete conveyance, including but not limited to any pipe or other conduit, from which pollutants are or may be discharged. 33 U.S.C. § 1362(14). "Navigable waters" means the "waters of the United States," which include all waters used in interstate commerce, including tidal waters and their tributaries. 33 U.S.C. § 1362(7); 40 C.F.R. §§ 122.3, 230.3(s).
4. The Sausalito-Marin City Sanitary District ("SMCSD"), Tamalpais Community Services District ("TCSD"), and the City of Sausalito ("Sausalito") are each a person in the context of section 502(5) of the Act. See 33 U.S.C. §§ 1362(4), 1362(5).
5. Tamalpais Community Services District (TCSD) operates a separate sanitary sewage collection system that collects sewage from approximately 2,500 connections, servicing a population of approximately 5,851 in southern Marin County. TCSD's collection system includes approximately 27 miles of sewage pipes, less than one mile of force main, and 2 pump stations. Sewage collected by TCSD's collection system, except that from the area known as Kay Park, is pumped to a sewage collection system operated by SMCSD and thereafter conveyed for treatment at the SMCSD Wastewater Water Treatment Plant ("WWTP"). Sewage from about 140 Equivalent Domicile Units ("EDUs") in Kay Park flows to the sewage collection system operated by Sewerage Agency of Southern Marin and thereafter conveyed for treatment at the Sewerage Agency of Southern Marin Wastewater Treatment Plant. Discharges from the SASM wastewater treatment plant into Raccoon Strait (Central San Francisco Bay) are regulated under Order R2-2007-0056 (NPDES permit No. CA0037711).

6. The City of Sausalito operates a separate sanitary sewage collection system that collects sanitary sewage from approximately 6,200 connections servicing a population of approximately 7,454 in southern Marin County. Sewage collected by Sausalito's collection system is conveyed to the sewage collection system operated by SMCSD and thereafter conveyed to SMCSD's WWTP for treatment.
7. SMCSD operates a collection system that collects sewage from approximately 2,000 connections and services a population of approximately 18,000 in southern Marin County. SMCSD's collection system includes approximately 7.0 miles of sewage pipes and 3.8 miles of force main. SMCSD's collection system collects sewage from the City of Sausalito, a portion of Tamalpais Community Services District, and from Golden Gate National Recreation Area. SMCSD discharges treated wastewater from the SMCSD WWTP to San Francisco Bay.
8. On July 19, 2000, SFRWQCB adopted "Order 00-060, NPDES Permit No. CA0038067" ("2000 Permit"). The 2000 Permit became effective on July 19, 2000 and expired on July 19, 2005. The 2000 Permit served as an NPDES Permit issued to SMCSD, and authorized discharges only in accordance with the conditions set forth in the 2001 Permit.
9. Discharge Prohibition A.2 of the 2000 Permit states that "The bypass or overflow of untreated wastewater to waters of the State, either at the treatment plant or from the discharger's collection system or pump stations tributary to the treatment plant, is prohibited..."
10. On August 8, 2007 SFRWQCB adopted "Order R2-2007-0054, NPDES Permit No. CA0038067" ("2007 Permit"). The 2007 Permit serves as an NPDES Permit issued to SMCSD, and authorizes discharges only in accordance with the conditions set forth in the 2007 Permit.
11. Paragraph III.E. of the 2007 Permit prohibits "any sanitary sewer overflow that results in a discharge of untreated or partially treated wastewater to waters of the United States."
12. By letter dated November 15, 2004, the Regional Board notified sewer system authorities within its region of new requirements for reporting sanitary sewer overflows (SSOs), including requirements to electronically report SSOs to the Regional Board and to provide an annual report of all SSOs by a schedule set forth in the letter.

13. On May 2, 2006, the California State Water Resources Control Board adopted Order No. 2006-0003-DWQ, Statewide General Discharge Requirements for Sanitary Sewer Systems (2006 Order). The 2006 Order requires districts and other public entities that own or operate sanitary sewer systems to develop sewer system management plans, and comply with various other compliance and reporting requirements, as set forth in the 2006 Order. SMCSD, TCSD, and Sausalito are each required to comply with the 2006 Order. See, 2006 Order, p. 1.
14. By letter dated September 29, 2006, the Regional Board notified sewer system authorities within its region of changes in requirements for electronic reporting of SSOs. The letter requested sewer system authorities to electronically report SSOs to the Regional Board through May 1, 2007, and then begin reporting SSOs to the statewide system on May 2, 2007 as required in the 2006 Order. See 2006 Order, p. 17
15. Numerous SSOs have occurred from the collection systems of SMCSD, TCSD, and the City of Sausalito. EPA has reviewed the SSO eReporting Program Database Records (from December 1, 2004 to May 2, 2007) as maintained by the Regional Board; information available from the California Integrated Water Quality System's Public Reports as maintained by the State Board; and Annual Reports of SSOs submitted to the Regional Board by SMCSD, TCSD, and the City of Sausalito, as required by the Regional Board's letter dated November 15, 2004.
16. Based upon its review of those records and reports, EPA finds that sewage spills occurred from collection systems operated by SMCSD, TCSD, and the City of Sausalito as follows:
  - a. Between December 2004 and February 2008, 28 sewage spills occurred from the TCSD collection system. Eight of those spills were reported as spills to either surface waters or storm drains. A summary of spills from TCSD's collection system is provided in Attachment 1.
  - b. Between December 2004 and February 2008, 21 sewage spills occurred from the City of Sausalito collection system. Six of these spills were reported as spills to either surface waters or storm drains. A summary of spills from the City of Sausalito's collection system is provided in Attachment 1.
  - c. Between December 2004 and February 2008, SMCSD experienced 9 spills. Five of these spills were reported as spills to either surface waters or storm drains. A summary of spills from SMCSD's collection system is provided in Attachment 1.

17. Based upon its review of those records and reports, EPA further finds that various spills from the sewage collection systems operated by SMCSD, TCSD, and the City of Sausalito have been caused, and resultant public health and environmental impacts have been exacerbated, by excessive infiltration and inflow into those collection systems and by inadequate control of blockages within those systems.
18. In a report submitted to EPA dated August 15, 2007, SMCSD indicated three SSOs occurred from its collection system during the period from December 2004 through May 2007, the causes of which were excess inflow and infiltration during periods of rainfall. The report indicates that the inflow and infiltration "originates in collection systems owned by satellite collection system agencies".
19. On January 25, 2008, SMCSD reported a spill of wastewater citing the cause as "excess wet weather flows surcharged collection system and flow exceeds capacity of system". The report indicates that 63,000 gallons of untreated wastewater was discharged from two manholes to a storm drain and entered San Francisco Bay. EPA finds that the unpermitted discharge was caused, in part, by excessive inflow and infiltration entering the collection systems owned by SMCSD, TCSD, and the City of Sausalito which contributed to peak wet weather flow conveyed through the collection system to SMCSD's WWTP.
20. In August and October 2007, EPA staff and contractors conducted inspections of the collection systems operated by SMCSD, TCSD, and the City of Sausalito. Copies of the inspection reports were provided to the agencies. Based upon the observations made in those inspections, EPA finds that various sewage spills from the collection systems operated by SMCSD, TCSD, and the City of Sausalito were caused by sewer line blockages, that the blockages were primarily caused by root intrusion and debris, and that inflow and infiltration in the member agencies' collection systems resulted in high wet weather flows to the collection system operated by SMCSD and to the SMCSD WWTP.
21. Paragraph III.C. of the 2007 Permit prohibits bypass of "untreated or partially treated wastewater to waters of the United States", except as provided for in 40 CFR 122.41(m)(4)(1). During periods of high wet weather flow, the 2007 Permit allows for blending of biologically treated wastewater with wastewater that has bypassed biological or advanced treatment units provided that the combined discharge is fully treated and partially treated wastewater complies with the effluent and receiving water limitations contained in the Permit. According to SMCSD's *Report on Sanitary Sewer Overflows, Treatment Unit Bypasses, Effluent Limit Violations, and Influent Flow Measurement* dated August 15, 2007, effluent limit violations occurred on 3 occasions during which treatment units were bypassed. (March 31, 2005 – cBOD; August 2005 & Nov. 2005 – TSS).

22. According to the *Wet Weather Conveyance and Treatment Evaluation* prepared by RMC Water and Environment for SMCSD in February 2008, high rates of infiltration and inflow (I/I) during wet weather appear to be occurring at each of the pump stations studied. High rates of I/I surcharge the collection system and creates the potential for overflows from the collection system and from the WWTP.
23. According to the *Sausalito-Marin City Sanitary District Conductivity Study* prepared by E2 Consulting Engineers for SMCSD in December 2007, excessive saltwater intrusion to the collection system appears to occur in four primary areas along the Sausalito waterfront: Gate 5, Princess St., Richardson St., and Anchor St. Excess saltwater in the influent at the SMCSD WWTP has been cited as a potential cause of plant upsets and effluent limit violations.
24. The aging, deteriorated condition of many sewer pipes in the collection systems has allowed for infiltration of ground water into the sewer pipes, increasing wastewater flow to the SMCSD collection system and wastewater treatment plant. Therefore, the contributing collection system agencies contributed to the bypass and discharge on August 15, 2007.
25. Based upon the spills, unpermitted discharges, and effluent limit violations cited above, EPA finds that on various occasions SMCSD, TCSD, and the City of Sausalito have each discharged, or have caused or contributed to the discharge of, pollutants to waters of the United States in violation of section 301(a) of the Act.



Considering the foregoing Findings, and the potential environmental and human health effects of the violations, EPA has determined that compliance in accordance with the following requirements is reasonable. Pursuant to the authority of sections 308(a) and 309(a) of the Act, it is hereby ORDERED:

### **ORDER FOR COMPLIANCE**

SMCSD, TCSD, and the City of Sausalito shall implement a Sewage Spill Reduction Action Plan (SSRAP) that includes the following components for reducing and eliminating collection system sewage spills. Each component plan of the SSRAP required in paragraphs II to VII of this Order is subject to review and approval by EPA as specified in paragraph VIII of this Order. SMCSD, TCSD, and the City of Sausalito each shall implement their current programs for controlling sewage spills and shall immediately implement improvements to their current programs that are consistent with the requirements below. A timetable for submittal of plans and reports required by this Order is included as Attachment 2. If a program currently being implemented by SMCSD, TCSD, or the City of Sausalito fails to meet the requirements of this Order, SMCSD, TCSD, or the City of Sausalito, as appropriate, must implement the improvements necessary to satisfy this Order. To the extent that an existing program satisfies the requirements of this Order, SMCSD, TCSD, or the City of Sausalito may submit a description of its program for review and approval by EPA.

#### **I. IMMEDIATE ELIMINATION OF COLLECTION SYSTEM SPILLS**

- A. Beginning immediately, SMCSD, TCSD, and the City of Sausalito each shall consistently and substantially reduce the frequency and volume of sewage spills to waters of the United States. SMCSD, TCSD, and the City of Sausalito shall prevent sewage spills caused by that respective agency to waters of the United States.
- B. SMCSD shall eliminate unpermitted discharges of wastewater from its wastewater treatment plant to waters of the United States, eliminate prohibited bypasses at its wastewater treatment plant and achieve consistent compliance with its 2007 Permit.
- C. SMCSD, TCSD, and the City of Sausalito each shall complete improvements necessary to eliminate conditions in its collection system that cause or contribute to wastewater spills, bypasses, or effluent limit violations from SMCSD's collection system or wastewater treatment plant.

D. SMCSD, TCSD, and the City of Sausalito each shall complete the improvements necessary to eliminate conditions in its collection system that cause or contribute to prohibited wastewater bypasses at the SMCSD Wastewater Treatment Plant.

## II. SPILL RESPONSE, RECORDKEEPING, NOTIFICATION, & REPORTING

A. **Sanitary Sewer Overflow Response Plan:** By October 15, 2008, SMCSD, TCSD, and the City of Sausalito each shall submit to EPA a Sanitary Sewer Overflow Response Plan that describes emergency response and contingency procedures to address SSOs from its collection system, including measures for containing and recovering spilled sewage, establishment of interim system operations, and timely repair and restoration of normal operations. Each agency shall ensure that agency staff and responders are adequately trained to perform the procedures outlined in the SSO response plan. The plan shall include:

1. Procedures to notify the responders during normal business hours and after business hours. The responders shall respond within 30 minutes after notification.
2. Procedures to ensure containment, termination, maximum recovery, and cleanup of spilled sewage. These procedures shall prevent spills from reaching storm drains and surface water and mitigate the impact of spills that reach storm drains and surface water.
3. Procedures to estimate spill volume. The procedures should include more than one estimation method that can be used in different spill scenarios.
4. Procedures to secure the area surrounding a spill and post warning signs as necessary in coordination with the County of Marin's Department of Health and Human Services.
5. Procedures to sample and monitor surface waters following spills.
6. A list of necessary spare parts and emergency equipment to ensure adequate response time and maximum recovery of spilled sewage.
7. A description of staffing needs required to respond to SSOs and whether staffing duties will be carried out by agency staff, staff from other agencies, or private contractor(s). To the extent that any SSO response duties will be carried out by private contractor(s), the plan shall describe the contractor and include copies of the contracts obligating the contractor(s) to fulfill the requirements of the SSO response plan implemented pursuant to this Order.

**B. Recordkeeping:** The response plan developed in Paragraph II.A. shall include procedures for agency staff or its contractors to maintain records of spill incidents, including field reports that provide adequate information to meet reporting requirements to regulatory agencies, and procedures to link these records to the Maintenance Management System described in Paragraph III.B.

**C. Public Notification:** The response plan developed in Paragraph II.A. shall include procedures for notifying the public, including schools and recreational clubs, that may be affected by the spill. The plan shall include procedures for advising the public to avoid contact and steps to be taken in cases of contact with spilled sewage. For spills in homes and businesses, the plan shall include procedures for cleaning the spill area. The plan shall identify the agency staff person(s) responsible for public notification.

**D. Regulatory Agency Notification and Reporting:** The response plan developed in Paragraph II.A. shall include procedures for notification and reporting spills, as required, to the appropriate regulatory agencies, including the Regional Water Quality Control Board, the State Water Resources Control Board, the State of California's Office of Emergency Services, and County of Marin's Department of Health and Human Services. The plan shall identify the agency staff person(s) responsible for reporting sewage spills.

### **III. COLLECTION SYSTEM MAINTENANCE AND MANAGEMENT**

#### **A. Sewer System Cleaning and Root Control Program:**

1. By October 15, 2008, SMCSO, TCSD, and the City of Sausalito shall each submit a plan to EPA a plan to implement a Sewer System Cleaning and Root Control Program to ensure regular cleaning of sewer pipes. The program shall ensure that no less than 30 percent of each agency's pipe mileage is cleaned per year such that each agency's entire collection system is cleaned within a three year period. The program must be sufficient to eliminate or reduce blockage-related spills and shall include the following elements:

- a) A schedule for routine cleaning of the agency's entire collection system;
- b) A list of locations where pipe blockages and SSOs have frequently occurred ("hot spots"), a plan to regularly monitor these areas, a hot spot cleaning schedule and procedures for adjusting the hot spot cleaning schedule based on changing conditions;
- c) Written procedures for cleaning and repairing sewer pipes in easements including cleaning schedules, instructions for gaining access to sewer pipes in easements, and cleaning procedures;

d) A plan for preventing blockage of sewer pipes by roots, including a description of root control methods, such as tree maintenance plans; locations where root control methods may be used within the collection system; and a schedule for application of root control methods;

e) A plan for staffing the sewer system cleaning and root control program, indicating whether staffing duties will be carried out by agency staff, staff from other agencies, or private contractor(s). To the extent that any sewer cleaning or root control duties required by this Order will be carried out by private contractor(s), each agency shall provide, before April 15, 2009, descriptions of the contractor(s) and copies of the contracts.

2. By October 15 of each year, SMCSD, TCSD, and the City of Sausalito shall each submit annual reports to EPA documenting the activities of each agency's sewer cleaning and root control program during the previous annual cycle. The annual reports shall include the number of miles of pipe cleaned as part of the routine and "hot spot" cleaning programs and miles of pipe treated by each method used for controlling roots. SMCSD, TCSD, and the City of Sausalito shall include a description of the success of the sewer cleaning and root control program at preventing blockages and sewage overflows as well as any changes to be made to the program to further reduce spills.

#### **B. Maintenance Management System:**

1. By October 15, 2008, SMCSD, TCSD, and the City of Sausalito each shall submit a plan for obtaining and implementing computerized sewer maintenance management systems (MMS) capable of scheduling and tracking completion of sewer cleaning, maintenance, repairs, and SSOs. The MMSs shall record information on sewer system inspections, condition ratings, and sewers repaired, rehabilitated and replaced. The MMSs shall have the capability to be used to generate reports summarizing SSOs and to identify hot spots. Each agency will implement and operate its MMS by October 15, 2009.

2. By October 15, 2009, the MMS shall be linked to a Geographic Information System (GIS) map of the sewage collection systems, which in turn shall be linked to an inventory of sewer system assets that includes information on asset age, material, dimensions and capacities.

**C. Pump Station Reliability Certification:**

1. By April 15, 2009, SMCSO, TCSD, and the City of Sausalito each shall submit to EPA a report describing the pump stations within its collection system, including number of primary and redundant pumps, pumping capacity, emergency generators, alarm systems, and estimated time to overflow in the event of station failure during peak dry weather flow.
2. By April 15, 2009, SMCSO, TCSD, and the City of Sausalito each shall certify to EPA that each pump station for which it is responsible is equipped for peak wet weather flows and continuous operation in the event of electrical failure, mechanical failure, or power outage.
3. If an agency is unable to certify that a pump station is adequately equipped, the agency by April 15, 2009 shall submit a plan, including a schedule and financial plan, for completing all repairs, renovations, and upgrades on each pump station and force main to ensure adequate capacity for peak wet weather flows and to ensure continuous operation.
4. By October 15 of each year, SMCSO, TCSD, and the City of Sausalito each shall submit an annual report to EPA documenting pump station and force main renovations, and upgrades during the previous year and describing projects to be completed in the coming annual cycle.

**D. Fats, Oils & Grease (FOG) Blockage Control Report:**

By October 15, 2008, SMCSO, TCSD, and the City of Sausalito shall submit a report documenting its program to control sources of FOG and the effectiveness of the program at eliminating grease blockages. The report shall include:

1. A list of locations where grease blockage spills have occurred and, if known, the sources causing the spill;
2. A summary of sewer cleaning activities aimed at sewer pipes prone to blockages by grease;
3. A description of FOG source control programs, including ordinances, treatment, best management practice requirements, source inspections and enforcement procedures, and outreach and education efforts;

4. A description of the effectiveness of the program at controlling and eliminating grease blockages; and
5. A description of any modifications needed to improve the effectiveness of the FOG control program.

#### **IV. COLLECTION SYSTEM ASSESSMENTS**

##### **A. Sewer Pipe and Maintenance Hole Inspection and Condition Assessment:**

1. By October 15, 2008, SMCSD, TCSD, and the City of Sausalito shall each submit a plan to EPA for periodic inspection and assessment of the condition of gravity sewers and maintenance holes throughout each agency's collection system. The inspection and condition assessment program shall be sufficient to evaluate the condition of pipes following blockage related spills, identify pipes in need of emergency repair, and provide a schedule for completion of a system-wide condition assessment no later than April 15, 2010. The requirements for system-wide condition assessment may be satisfied with reliable condition data obtained from an inspection and assessment conducted after January 1, 2000. The plan shall describe:
  - a) Inspection methods to be used, including direct visual inspection and CCTV inspection, and whether each agency will purchase, lease, or contract for CCTV inspection equipment;
  - b) An inspection schedule including an estimation of how many maintenance holes and miles of pipe will be inspected each year for the next 2 years; and
  - c) A system for timely evaluation of inspection findings and documentation of the assessed condition.
2. By October 15, 2008, SMCSD, TCSD, and the City of Sausalito shall submit a report to EPA summarizing the findings of inspections and condition assessments completed during the previous five years.
3. Beginning October 15, 2009, SMCSD, TCSD, and the City of Sausalito shall each submit an annual progress report to EPA summarizing the inspection methods and findings of the sewer pipe condition assessments conducted during the previous year and the estimated miles of sewer pipe and number of maintenance holes planned to be inspected during the current year.

4. By October 15, 2010, SMCSD, TCSD, and the City of Sausalito shall submit a final report summarizing the findings of the inspections and condition assessments required by Paragraph IV.A.1.

#### **B. Capacity Assessment:**

1. By October 15, 2008, SMCSD, TCSD, and the City of Sausalito shall each install flow meters to identify average and peak dry and wet weather flow rates generated by each agency's collection system service area.
2. By October 15, 2009, and each year thereafter, SMCSD, TCSD, and the City of Sausalito each shall submit a report to EPA providing the results of collection system flow monitoring, including the average dry weather flow and peak wet weather flow from its collection system.
3. By October 15, 2010, SMCSD, TCSD, and the City of Sausalito each shall complete an assessment and submit a report to EPA on collection system flows and hydraulic capacity. The assessments shall include flow measurements, visual observations of flow levels and predictive flow modeling as needed to complete a report that:
  - a) Identifies areas, sources and quantities of significant inflow to the sewage collection system;
  - b) Identifies areas, sources and quantities of significant infiltration to the sewage collection system;
  - c) Identifies any bottlenecks in the collection system which lack sufficient capacity to convey sewage flows through the collection system and to the SMCSD WWTP during wet weather; and
  - d) Provides a discussion of the impact of wet weather flow from one agency to another as well as the impact on the SMCSD WWTP.
4. If the work described in either Paragraph IV.B.1. or Paragraph IV.B.3. has been completed within the past two years by any of the agencies, a brief summary of the work and the recommendations may be substituted for the study.

### **V. CAPACITY ASSURANCE**

#### **A. Short-Term Contingency Plan:**

By October 15, 2008, SMCSD shall develop a short-term contingency plan for improvements necessary to eliminate bypasses or spills from its wastewater

treatment plant to San Francisco Bay and its tributaries. The plan shall describe any short-term operational measures that can be implemented to eliminate overflows to San Francisco Bay.

**B. Capacity Assurance Plan:**

1. By October 15, 2010, SMCSD, TCSD, and the City of Sausalito shall propose and schedule improvements identified in the condition and capacity assessments completed in Paragraph IV. The plan(s) shall consider the effects that existing capacity limitations and future upgrades may have on the SMCSD WWTP and its other contributing collection systems. The plan(s) should be sufficient to eliminate spills from the collection systems and wastewater treatment plant during peak wet weather.
2. By October 15, 2013, SMCSD, TCSD, and the City of Sausalito shall complete the short-term improvements identified pursuant to Paragraph V.A. The improvements shall address preliminary I&I control, conveyance of peak flows, storage of peak flows, and improvements to treatment plant capacity.

**VI. INFRASTRUCTURE RENEWAL**

**A. Sewer Repair, Rehabilitation, and Replacement:** By October 15, 2010, SMCSD, TCSD, and the City of Sausalito each shall submit a plan to EPA for both short-term (repairs of acute defects to occur within one year of inspection and assessment completed) and long-term repair, rehabilitation and replacement of sewer pipes. The plan shall include a schedule and financial plan. The plan shall be sufficient to: 1) ensure timely repair of sewer pipes in imminent danger of failure or blockage; 2) ensure the long range sustainable rehabilitation or replacement of obsolete assets; 3) improve system performance and reduce spills caused by pipe defects and blockages from roots and debris; and 4) control inflow and infiltration as needed pursuant to the Capacity Assurance Plan in Paragraph V.B. The plan shall include:

1. The length of pipe repaired, rehabilitated, or replaced during the last 20 years;
2. An estimate of the miles of sewer pipe to undergo emergency repair or replacement each year;
3. An estimate of the miles of sewer pipe to be rehabilitated or replaced over the next 10 years and identification of the pipe reaches to be rehabilitated or replaced in the next 5 years;
4. A 10-year financial plan for short-term and long-term repair, rehabilitation, and replacement of sewer pipes; and



5. A plan to address private lateral repair, rehabilitation and replacement as needed pursuant to the Capacity Assurance Plan in Paragraph V.B.

**B. Annual Report:** By October 15 of each year, SMCSD, TCSD, and the City of Sausalito shall each submit an annual report to EPA documenting sewer repair, rehabilitation or replacement activities completed in the previous year; describing projects to be completed in the coming annual cycle; and providing an updated 10-year Capital Improvement Plan (CIP).

## VII. IMPLEMENTATION STUDY AND REPORT

By October 15, 2008, SMCSD, TCSD, and the City of Sausalito shall complete a study and submit a report that evaluates options for collaboration between the agencies on efforts to implement and comply with the requirements of this Order. This evaluation shall consider:

1. Options for deploying staff, equipment, and other resources, where possible, to minimize costs to each agency and provide for efficient implementation of collection system maintenance and spill response;
2. Measures to reduce energy use within the collection systems and at the wastewater treatment plant, such as energy audits of pump stations and efforts to increase water conservation  
([http://www.epa.gov/waterinfrastructure/bettermanagement\\_energy.html](http://www.epa.gov/waterinfrastructure/bettermanagement_energy.html));
3. Coordination between the agencies on completing the condition and capacity assessments;
4. Coordination between the agencies on reaching sound engineering decisions on the most cost-effective means for ensuring adequate capacity throughout the collection systems and at the SMCSD WWTP;
5. Collaboration among the agencies to ensure the most cost-effective and efficient delivery of the capital improvements needed to renew the aging sewer systems and complete the capacity improvements required by this Order; and
6. Collaboration between the agencies to develop financial plans and secure funding needed to complete the requirements of this Order.

### **VIII. PLAN REVIEW AND APPROVAL**

Where this Order requires the submittal of a plan to EPA, that plan shall be subject to EPA review, comment and approval. If EPA does not approve or comment upon a plan within 60 days of receipt (or does not, in writing, extend EPA's review for an additional 30 days), the agency submitting the plan shall implement the plan as submitted. SMCSD, TCSD, and the City of Sausalito shall make any revisions requested by EPA or respond to any EPA comments by submitting a revised plan to EPA within 30 days of receipt of EPA's comments. Upon approval by EPA, the plans are automatically incorporated by reference as an enforceable part of this Order. All annual reports required by this Order are also subject to EPA review and approval in accordance with this paragraph.

### **IX. QUARTERLY SPILL REPORTS**

On the fifteenth day of January, April, July, and October in each year in which activities are conducted pursuant to this Order, SMCSD, TCSD, and the City of Sausalito shall each submit a tabulation of all sewage spills occurring during the previous calendar quarter. The quarterly reports shall indicate, for each spill, the spill date, spill volume, volume recovered, spill location, cause, and spill destination. An agency may include certified and uncertified spill reports submitted to the State Water Resources Control Board's California Integrated Water Quality System during the previous calendar quarter.

### **X. ANNUAL PROGRESS REPORTS**

Beginning in 2009, on October 15 of each year in which activities are conducted pursuant to this Order, SMCSD, TCSD, and the City of Sausalito each shall submit a written summary progress report detailing the implementation of the requirements of this Order during the preceding annual cycle pursuant to Paragraphs III.A.2., III.C.4., IV.A.3., IV.B.2., and VI.B. The reports shall evaluate the effectiveness of the spill elimination programs, and detail all additional actions SMCSD, TCSD, and the City of Sausalito plan to take in order to eliminate spills. The annual progress reports shall also contain an updated wastewater collection system annual budget for the current year and the cost of compliance with this Order. Annual progress reports are subject to EPA review and approval in accordance with Paragraph VIII.

## **XI. INFORMATION SUBMITTAL**

A. All submittals made pursuant to this Order shall be mailed to the following addresses:

JoAnn Cola  
United States Environmental Protection Agency  
Region 9  
75 Hawthorne St. (WTR-7)  
San Francisco, CA 94105

Michael Chee  
San Francisco Bay Region  
California Regional Water Quality Control Board  
1515 Clay St., Suite 1400  
Oakland, CA 94612

B. All reports submitted pursuant to this Order shall be signed by a principal executive officer, ranking elected official or duly authorized representative of agency [as specified by 40 CFR §122.22(b)(2)] and shall include the following statement:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

C. The information requested herein must be provided notwithstanding its possible characterization as confidential business information or trade secrets. EPA has promulgated regulations to protect the confidentiality of the business information it receives. These regulations are set forth in part 2, subpart B of Title 40 of the Code of Federal Regulations. A claim of business confidentiality may be asserted in the manner specified by 40 C.F.R. §2.203(b) for part or all of the information requested. EPA will disclose business information covered by such a claim only as authorized under 40 C.F.R. part 2, subpart B. If no such claim accompanies the business information at the time EPA receives it, EPA may make it available to the public without further notice.

## **XII. GENERAL PROVISIONS**

A. This Order is not a permit under the Act, and does not relieve SMCSO, TCSD, or the City of Sausalito of any obligations imposed by the Act or any other law, regulation, or permit.

B. All requirements to submit information to EPA set forth in this Order are not subject to review by the Office of Management and Budget ("OMB") under the Paperwork Reduction Act because they are not "information collection requests" within the meaning of 44 U.S.C. §§3502(3), 3507, 3512, and 3518(c)(1). See also, 5 C.F.R. §§1320.3(c), 1320.4, and 1320.6(a). Furthermore, they are exempt from OMB review under the Paperwork Reduction Act because they are directed to fewer than ten persons and are an exempt investigation. 44 U.S.C. §§3502(4), (11), and 3518(c)(1); 5 C.F.R. §§1320.4 and 1320.6(a).

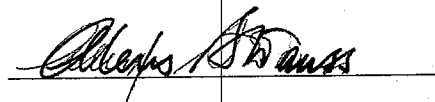
C. Issuance of an Order for Compliance shall not be deemed an election by EPA to forego any administrative, civil, or criminal action to seek penalties, fines, or other appropriate relief under the Act or any other statutes.

D. Failure to comply with this order could subject SMCSO, TCSD, and the City of Sausalito each to civil action for appropriate relief, including judicial penalties under Section 309(d) of the Act. 33 USC §1319(d). Failure to submit information required under Section 308 of the Act (including information required under this Order), or to comply with the NPDES permit or other Act provisions, could subject SMCSO, TCSD, and the City of Sausalito to actions under Section 309(a) (for administrative compliance orders), Section 309(b) (for judicial injunctive relief), Section 309(d) (for civil judicial penalties), and/or Section 309(g) (for administrative penalties). 33 USC §1319(b), (d) and (g). In addition, Section 309(c) of the Act provides criminal sanctions for negligent or knowing violations of the Act, and for knowingly making false statements. 33 USC §1319(c).

E. If any event occurs that may cause a failure to timely carry out any requirement of this Order, the agency shall notify EPA in writing within twenty-one (21) calendar days of the time the agency becomes aware of the effect the event may have on compliance. The notice shall describe in detail the precise cause of the failure and measures taken to prevent or minimize the failure. The agency shall implement reasonable measures to avoid or minimize any such failure.

F. This Order remains in effect until terminated by the Director of the Water Division, EPA, Region 9. An agency may petition the Director to terminate the Order based on the progress by the agency toward eliminating sewage spills that are a violation of the Act, and certification by the agency that they have completed each requirement of this Order and have in place programs and financial plans to assure the continued improvement of the collection system.

Dated this 24<sup>th</sup> day of November 2008



Alexis Strauss  
Director  
Water Division  
U.S. Environmental Protection Agency

Region 9

**ATTACHMENT 1: Finding of Violation and Amended Order**

Docket No. CWA 309(a)-08-000

Spills Reported to SFRWQCB and SWRCB

**SOURCES OF DATA:** San Francisco Bay Regional Water Quality Control Board - Sanitary Sewer Overflow (SSO) eReporting Program Database Records (from Dec. 1, 2004 to May 2, 2007), and Annual Reports submitted to SFRWQCB for years 2005, 2006, and 2007

**CIWCS eReporting Program Database Records (from May 2007 to February 2008)**

SSO AGENCY NAME	INCIDENT _DATE	SPILL_ VOLUME (in gallons)	VOLUME RECOVERED (in gallons)	INCIDENT_ LOCATION	INCIDENT_ CITY	INCIDENT_ COUNTY	INCIDENT_ ZIP	FINAL_ SPILL_ DESTIN ATION	SPILL_CAUSE	BLOCKAGE _DESCRIPTI ON
SMCSD	12/27/2004	500	0	3250 Bridgeway at Coloma Street	Sausalito	Marin	94966	STORM DRAIN	INFLOW & INFILTRATIO N	--Select None--
SMCSD	12/31/2005	700	0	# 1 Fort Baker Road	Sausalito	Marin	94966	STORM DRAIN	INFLOW & INFILTRATIO N	--Select None--
SMCSD	5/13/2006	100	0	152 Shoreline Drive/in front of Frantoio Restaurant	Mill Valley	Marin	94941	YARD/L AND	BLOCKAGE	GREASE
SMCSD	11/14/2006	300	0	19 Park Circle Drive	Marin City	Marin	94966	STORM DRAIN	BLOCKAGE	ROOTS

**SOURCES OF DATA: San Francisco Bay Regional Water Quality Control Board - Sanitary Sewer Overflow (SSO) eReporting Program Database Records (from Dec. 1, 2004 to May 2, 2007), and Annual Reports submitted to SFRWQCB for years 2005, 2006, and 2007**

**CIWCS eReporting Program Database Records (from May 2007 to February 2008)**

SSO AGENCY NAME	INCIDENT DATE	SPILL VOLUME (in gallons)	VOLUME RECOVERED (in gallons)	INCIDENT LOCATION	INCIDENT CITY	INCIDENT COUNTY	INCIDENT ZIP	FINAL SPILL DESTINATION	SPILL CAUSE	BLOCKAGE DESCRIPTION
SMCSD	12/12/2006	450	0	Marinship near Harbor Drive MH 380000/3770 00	Sausalito	Marin	94966	STORM DRAIN	INFLOW & INFILTRATION	-- Select One --
SMCSD	3/21/2007	5	0	164 Donahue Rd adjacent to Marin city Library	Marin City	Marin	94965	STREET/CURB & GUTTER	BLOCKAGE	DEBRIS
SMCSD	5/2/2007	250	0	Bay Vista Circle	Marin City	Marin	94966	STREET/CURB & GUTTER SURFACE	BLOCKAGE	ROOTS
SMCSD	0/0/2007	BETWEEN 100 AND 1000		150 Shoreline Drive	Mill Valley	Marin			BLOCKAGE	GREASE
SMCSD	1/25/2008	63000	0	Marinship Way	Sausalito	Marin	94966	STORM DRAIN; SURFACE WATER	INFLOW & INFILTRATION	

**SOURCES OF DATA: San Francisco Bay Regional Water Quality Control Board - Sanitary Sewer Overflow (SSO) eReporting Program Database Records (from Dec. 1, 2004 to May 2, 2007), and Annual Reports submitted to SFRWQCB for years 2005, 2006, and 2007**

**CIWCS eReporting Program Database Records (from May 2007 to February 2008)**

SSO AGENCY NAME	INCIDENT DATE	SPILL VOLUME (in gallons)	VOLUME RECOVERED (in gallons)	INCIDENT LOCATION	INCIDENT CITY	INCIDENT COUNTY	INCIDENT ZIP	FINAL SPILL DESTINATION	SPILL CAUSE	BLOCKAGE DESCRIPTION
City of Sausalito	12/6/2005	21000	0	57 Lincoln	Sausalito	Marin	94965	UNPAVED SURFACE	BLOCKAGE	GREASE
City of Sausalito	0/0/2005	>100			Sausalito	Marin	94965		BLOCKAGE	ROOTS
City of Sausalito	0/0/2005	>100			Sausalito	Marin	94965		BLOCKAGE	DEBRIS IN LATERAL
City of Sausalito	0/0/2005	>100			Sausalito	Marin	94965		BLOCKAGE	DEBRIS IN LATERAL
City of Sausalito	0/0/2006	>100			Sausalito	Marin	94965		BLOCKAGE	ROOTS
City of Sausalito	0/0/2006	BETWEEN 100 AND 1000			Sausalito	Marin	94965		BLOCKAGE	DEBRIS
City of Sausalito	1/15/2007	1126	50	317 Front	Sausalito	Marin	94965	UNPAVED SURFACE	BLOCKAGE	ROOTS



**SOURCES OF DATA: San Francisco Bay Regional Water Quality Control Board - Sanitary Sewer Overflow (SSO) eReporting Program Database Records (from Dec. 1, 2004 to May 2, 2007), and Annual Reports submitted to SFRWQCB for years 2005, 2006, and 2007**

**CIWCS eReporting Program Database Records (from May 2007 to February 2008)**

SSO AGENCY NAME	INCIDENT DATE	SPILL VOLUME (in gallons)	VOLUME RECOVERED (in gallons)	INCIDENT LOCATION	INCIDENT CITY	INCIDENT COUNTY	INCIDENT ZIP	FINAL SPILL DESTINATION	SPILL CAUSE	BLOCKAGE DESCRIPTION
City of Sausalito	2/5/2007	3107	0	120 Cazneau	Sausalito	Marin	94965	STREET/CURB AND GUTTER	BLOCKAGE	DEBRIS
City of Sausalito	7/12/2007	600	200	24 Cable Roadway	Sausalito	Marin	94965	UNPAVED SURFACE	BLOCKAGE	ROOTS
City of Sausalito	8/25/2007	2100	40	57 Lincoln	Sausalito	Marin	94965	UNPAVED SURFACE	BLOCKAGE	GREASE
City of Sausalito	9/10/2007	2333	0	5 Reade	Sausalito	Marin	94965	STORM DRAIN; STREET/CURB AND GUTTER	BLOCKAGE	DEBRIS
City of Sausalito	11/3/2007	1791	0	123 Glen	Sausalito	Marin	94965	STREET/CURB AND GUTTER	BLOCKAGE	ROOTS
City of Sausalito	11/7/2007	187	0	330 Bridgeway	Sausalito	Marin	94965	UNPAVED SURFACE	BLOCKAGE	DEBRIS

**SOURCES OF DATA: San Francisco Bay Regional Water Quality Control Board - Sanitary Sewer Overflow (SSO) eReporting Program Database Records (from Dec. 1, 2004 to May 2, 2007), and Annual Reports submitted to SFRWQCB for years 2005, 2006, and 2007**

**CIWCS eReporting Program Database Records (from May 2007 to February 2008)**

SSO AGENCY NAME	INCIDENT DATE	SPILL VOLUME (in gallons)	VOLUME RECOVERED (in gallons)	INCIDENT LOCATION	INCIDENT CITY	INCIDENT COUNTY	INCIDENT ZIP	FINAL SPILL DESTINATION	SPILL CAUSE	BLOCKAGE DESCRIPTION
City of Sausalito	12/8/2007	1200	0	1 Laurel	Sausalito	Marin	94965	STORM DRAIN; STREET/CURB AND GUTTER		ROOTS
City of Sausalito	12/30/2007	600	0	621 Sausalito	Sausalito	Marin	94965	UNPAVED SURFACE	INFRASTRUCTURE FAILURE	
City of Sausalito	1/14/2008	429	0	203 B West	Sausalito	Marin	94965	STORM DRAIN; STREET/CURB AND GUTTER	INFRASTRUCTURE FAILURE	
City of Sausalito	1/22/2008	456	0	203 B West	Sausalito	Marin	94965	STORM DRAIN; STREET/CURB AND GUTTER	INFRASTRUCTURE FAILURE	
City of Sausalito	1/23/2008	456	0	203 B West	Sausalito	Marin	94965	STORM DRAIN; STREET/CURB AND GUTTER	INFRASTRUCTURE FAILURE	

**SOURCES OF DATA: San Francisco Bay Regional Water Quality Control Board - Sanitary Sewer Overflow (SSO) eReporting Program Database Records (from Dec. 1, 2004 to May 2, 2007), and Annual Reports submitted to SFRWQCB for years 2005, 2006, and 2007**

**CIWCS eReporting Program Database Records (from May 2007 to February 2008)**

SSO AGENCY NAME	INCIDENT DATE	SPILL VOLUME (in gallons)	VOLUME RECOVERED (in gallons)	INCIDENT LOCATION	INCIDENT CITY	INCIDENT COUNTY	INCIDENT ZIP	FINAL SPILL DESTINATION	SPILL CAUSE	BLOCKAGE DESCRIPTION
City of Sausalito	2/6/2008	82	0	2 09 B West	Sausalito	Marin	94965	STORM DRAIN; STREET/CURB AND GUTTER	INFRASTRUCTURE FAILURE	
City of Sausalito	1/23/2006	900	0	On beach area at intersection of Bridgeway and Valley Street	Sausalito	Marin	94965	STREET/CURB & GUTTER	BLOCKAGE	GREASE
City of Sausalito	10/24/2006	60	0	BEHIND #71 WOODWARD AVENUE IN THE WOODED AREA.	SAUSALITO	Marin	94965	YARD/L AND	BLOCKAGE	ROOTS
Tamalpais	9/4/2005	100	0	1045 Erica Rd.	Mill valley	Marin Co	94941	YARD/L AND	BLOCKAGE	ROOTS
Tamalpais	10/12/2005	30	0	296 Morning Sun Ave	Mill Valley	Marin Co	94941	STREET/CURB & GUTTER	BLOCKAGE	ROOTS

**SOURCES OF DATA: San Francisco Bay Regional Water Quality Control Board - Sanitary Sewer Overflow (SSO) eReporting Program Database Records (from Dec. 1, 2004 to May 2, 2007), and Annual Reports submitted to SFRWQCB for years 2005, 2006, and 2007**

**CIWCS eReporting Program Database Records (from May 2007 to February 2008)**

SSO AGENCY NAME	INCIDENT DATE	SPILL VOLUME (in gallons)	VOLUME RECOVERED (in gallons)	INCIDENT LOCATION	INCIDENT CITY	INCIDENT COUNTY	INCIDENT ZIP	FINAL SPILL DESTINATION	SPILL CAUSE	BLOCKAGE DESCRIPTION
Tamalpais	11/22/2005	3600	1500	203 Marin ave	Mill Valley	Marin co.	94941	SURFACE WATER IMPACT	INFRASTRUCTURE FAILURE	--Select None--
Tamalpais	12/2/2005	25	0	309 carrera	Mill Valley	Marin co	94941	STORM DRAIN	BLOCKAGE	ROOTS
Tamalpais	12/2/2005	0	0	W Calif & Shoreline Hwy	Mill Valley	Marin Co	94941	NO WATER INVOLVED	BLOCKAGE	ROOTS
Tamalpais	12/2/2005	200	0	388 Carrera	Mill Valley	Marin Co	94941	YARD/L AND	BLOCKAGE	ROOTS
Tamalpais	12/2/2005	100	0	Shoreline Hwy & Tenn Ave	Mill Valley	Marin Co	94941	STORM DRAIN	BLOCKAGE	ROOTS
Tamalpais	1/17/2006	100	0	295 morning sun	mill valley	marin	94941	STREET/CURB & GUTTER	BLOCKAGE	ROOTS
Tamalpais	1/23/2006	200	0	315 carrera dr	mill valley	marin co	94941	YARD/L AND	BLOCKAGE	ROOTS

SOURCES OF DATA: San Francisco Bay Regional Water Quality Control Board - Sanitary Sewer Overflow (SSO) eReporting Program Database Records (from Dec. 1, 2004 to May 2, 2007), and Annual Reports submitted to SFRWQCB for years 2005, 2006, and 2007

CIWCS eReporting Program Database Records (from May 2007 to February 2008)

SSO AGENCY NAME	INCIDENT DATE	SPILL VOLUME (in gallons)	VOLUME RECOVERED (in gallons)	INCIDENT LOCATION	INCIDENT CITY	INCIDENT COUNTY	INCIDENT ZIP	FINAL SPILL DESTINATION	SPILL CAUSE	BLOCKAGE DESCRIPTION
Tamalpais	2/22/2006	600	0	chamberlain ct	mill valley	marin	94941	STREET/CURB & GUTTER	BLOCKAGE	ROOTS
Tamalpais	8/13/2006	30	0	301 enterprise concour.	mill valley	marin	94941	YARD/L AND	BLOCKAGE	DEBRIS FROM LATERALS
Tamalpais	8/14/2006	100	0	360 jean st	mill valley	marin	94941	STORM DRAIN	ELECTRICAL POWER FAILURE	GREASE
Tamalpais	8/19/2006	450	0	335 jean st	mill valley	marin	94941	STORM DRAIN	BLOCKAGE	MULTIPLE CAUSES
Tamalpais	11/20/2006	0	0	247 shoreline hwy	mill valley	marin	94941	NO WATER INVOLVED	BLOCKAGE	GREASE
Tamalpais	12/2/2006	40	0	335 s morning sun	mill valley	marin co	94941	GROUND WATER IMPACTED ?	BLOCKAGE	MULTIPLE CAUSES
Tamalpais	0/0/2006	>100							BLOCKAGE	ROOTS

**SOURCES OF DATA: San Francisco Bay Regional Water Quality Control Board - Sanitary Sewer Overflow (SSO) eReporting Program Database Records (from Dec. 1, 2004 to May 2, 2007), and Annual Reports submitted to SFRWQCB for years 2005, 2006, and 2007**

**CIWCS eReporting Program Database Records (from May 2007 to February 2008)**

SSO AGENCY NAME	INCIDENT DATE	SPILL VOLUME (in gallons)	VOLUME RECOVERED (in gallons)	INCIDENT LOCATION	INCIDENT CITY	INCIDENT COUNTY	INCIDENT ZIP	FINAL SPILL DESTINATION	SPILL CAUSE	BLOCKAGE DESCRIPTION
Tamalpais	2/6/2007	3,300	0	Intersection of Ross St and Linda St.	Mill Valley	Marin	94941	SURFACE WATER IMPACT	INFRASTRUCTURE FAILURE	
Tamalpais	2/6/2007	1,600	0	Shoreline Highway (State Route 1) between Tennessee Valley Road and Redwood Highway (U.S. Route 101)	Mill Valley	Marin	94941	SURFACE WATER IMPACT	INFRASTRUCTURE FAILURE	
Tamalpais	2/15/2007	30	0	410 maple st	mill valley	marin	94941	YARD/L AND	BLOCKAGE	GREASE
Tamalpais	2/18/2007	100	0	558 fairview	mill valley	marin	94941	STREET/CURB &	BLOCKAGE	ROOTS
Tamalpais	3/23/2007	100	0	806 smith rd	mill valley	marin	94941	GUTTER STREET/CURB &	BLOCKAGE	ROOTS
Tamalpais	4/20/2007	120	0	Shore Line Hwy	Mill Valley	Marin co.	94941	GUTTER YARD/L AND	BLOCKAGE	ROOTS

SOURCES OF DATA: San Francisco Bay Regional Water Quality Control Board - Sanitary Sewer Overflow (SSO) eReporting Program Database Records (from Dec. 1, 2004 to May 2, 2007), and Annual Reports submitted to SFRWQCB for years 2005, 2006, and 2007

CIWCS eReporting Program Database Records (from May 2007 to February 2008)

SSO AGENCY NAME	INCIDENT DATE	SPILL VOLUME (in gallons)	VOLUME RECOVERED (in gallons)	INCIDENT LOCATION	INCIDENT CITY	INCIDENT COUNTY	INCIDENT ZIP	FINAL SPILL DESTINATION	SPILL CAUSE	BLOCKAGE DESCRIPTION
Tamalpais	4/24/2007	50	0	1031 Erica Rd	Mill Valley	Marin Co	94941	YARD/L AND	BLOCKAGE	ROOTS
Tamalpais	4/26/2007	50	0	532 Pine Crest	Mill Valley	Marin Co	94941	BUILDING/STRUCTURE	BLOCKAGE	ROOTS
Tamalpais		100		541 Midvale	Mill Valley	Marin		CREEK	INFRASTRUCTURE FAILURE	
Tamalpais	8/16/2007	100	0	541 Midvale	Mill Valley	Marin	94941	BEACH; BUILDING OR STRUCTURE; OTHER PAVED SURFA	INFRASTRUCTURE FAILURE	
Tamalpais	8/19/2007	25	0	309 Bristol Place	Mill Valley	Marin	94941	CE	BLOCKAGE	ROOTS
	11/29/2007						94941	BEACH; BUILDING OR STRUCTURE; OTHER PAVED SURFA		

**SOURCES OF DATA: San Francisco Bay Regional Water Quality Control Board - Sanitary Sewer Overflow (SSO) eReporting Program Database Records (from Dec. 1, 2004 to May 2, 2007), and Annual Reports submitted to SFRWQCB for years 2005, 2006, and 2007**

**CIWCS eReporting Program Database Records (from May 2007 to February 2008)**

SSO AGENCY NAME	INCIDENT _DATE	SPILL VOLUME (in gallons)	VOLUME RECOVERED (in gallons)	INCIDENT LOCATION	INCIDENT _CITY	INCIDENT _COUNTY	INCIDENT _ZIP	FINAL SPILL _DESTIN _ATION	SPILL_CAUSE	BLOCKAGE _DESCRIPTI _ON
Tamalpais		100	0	371 County View	Mill Valley	Marin		BEACH; BUILDI NG OR STRUC TURE; OTHER PAVED SURFA CE		ROOTS

12/10/2007

94941

\* Responded "YES" to question "Did the spill discharge to a storm drainpipe that was not fully captured and returned to the sanitary sewer system?" on CIWCS form but did not select "storm drain" in the "destination of spill" drop down menu

\*\* Responded "YES" to question "Did the spill discharge to a drainage channel and/or surface water? On CIWCS form but did not select "storm drain" or "surface water in the "destination of spill" drop down menu



Region 9  
**Attachment 2: Finding of Violation and Amended Order**  
Docket No. CWA-309(a)-08-000  
Timetable Listing of Requirements of Administrative Order

**October 15, 2008**

- II.A. Submit Sanitary Sewer Overflow Response Plan
- III.A.1. Submit Sanitary Sewer Cleaning and Root Control Plan
- III.B.1. Submit CMMS Implementation Plan
- III.D. Submit FOG Program Report
- IV.A.1. Submit Inspection and Assessment Plan
- IV.A.2. Submit Inspection Report
- IV.B.1. Submit Capacity Assessment Report and Install flow meters
- V.A. Submit and Implement Short-Term Contingency Plan
- VII. Submit Implementation Study Report

**April 15, 2009**

- III.A.1.e. Submit copies of sewer cleaning and root control contracts
- III.C.1. Submit Pump Station Report
- III.C.2. Submit Pump Station Certification
- III.C.3. Submit Pump Station Upgrade Plan

**October 15, 2009**

- III.B.1. Implement MMS
- III.B.2. Link MMS to GIS map
- IV.B.2. Submit Flow Monitoring Report

**October 15, 2010**

- IV.A.4. Submit Inspection and Condition Assessment Final Report
- IV.B.3. Submit Capacity Assessment Report
- V.B.1. Implement Capacity Assurance Improvements
- VI.A.1. Submit Infrastructure Renewal Plan

**October 15, 2013**

- V.B.2. Complete Short-term Improvements

**Quarterly Spill Reports Due Each January 15, April 15, July 15, and October 15, beginning 2008:**

IX.A. Quarterly Spill Reports

**Annual Reports Due Each October 15, beginning 2009:**

III.A.2. Sanitary Sewer Overflow Response Planning

III.C.4. Pump Station Reliability

IV.A.3. Inspection and Condition Assessment Progress Report

IV.B.2. Flow Monitoring Reports

VI. Infrastructure Renewal Program